

# CHARLOTTE JOURNAL

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[NO. 271.]

## DEFERRED ARTICLE.

**ET Celestial Phenomenon.**—The magnificent spectacle in the heavens, described in the following article, was observed in this town, about 11 o'clock on the night of the 17th of November. We have seen notices of it in divers places, at many of which it was visible early in the evening, and continued to a late hour. At New Haven, (Conn.) the display was particularly brilliant and gorgeous; and, fortunately for science, Professor Olmstead, (whose name is closely identified with similar phenomena,) had an opportunity of minutely observing the heavenly exhibition. The Professor himself thus particularly describes it, in a communication to the New Haven Herald:

**Auroral Phenomenon.**—Last night, our northern hemisphere was adorned with a display of auroral lights remarkably grand and diversified. It was first observed at fifteen minutes before 7 o'clock (mean time) when an illumination of the whole northern sky, resembling the break of day, was discernible through the openings in the clouds. About 13 degrees east of north, was a broad column of shining vapor tinged with crimson, which appeared and disappeared at intervals. A westerly wind moved off the clouds, rendering the sky nearly clear by 8 o'clock, when two broad white columns, which had for some time been gathering between the stars Aquila and Lyra on the west, and the Pleiades and Arcturus on the east, united above, so as to complete a luminous arch, spanning the heavens a little south of the prime vertical. The whole northern hemisphere being more or less illuminated and separated from the southern by this zone, was thrown into a striking contrast with the latter, which appeared of a dark slate color, as though the stars were shining through a stratum of black clouds. The zone moved slowly to the south until about 9 o'clock, when it had reached the right star in the eagle in the west and extended a little south of the constellation Arcturus in the east. From this time it began to recede northward, at a nearly uniform rate, until 20 minutes before 11, when a vast number of columns, white and crimson, began to shoot up, simultaneously, from all parts of the northern hemisphere, directing their course towards a point a few degrees south and east of the zenith, around which they arranged themselves as around a common focus. The position of this point was between the Pleiades and Alpha Arietis, and south of the Bee, having a right ascension of 42 deg. and a declination of 24 deg. nearly as could be determined without the aid of instruments; but this comes so near to the pole of the dipping needle, and the magnetic meridian, that we need not hesitate to conclude that, agreeably to what has been observed of similar phenomena before, the columns arranged themselves exactly in obedience to the laws of terrestrial magnetism.

Soon after 11 o'clock commenced a striking display of those undulatory flashes, denominated in the Northern regions, *Merry Dancers*. They consist of thin waves or sheets of light, coursing each other with immense speed.

Those undulations which play upon the surface of a field of rye, when gently agitated by the wind, may give to the reader a faint idea of these auroral waves. One of these crimson columns, the most dense and beautiful of all, as it ascended towards the common focus (the vanishing point of perspective for parallel lines,) crossed the plane of Jupiter, then at an altitude of 36 degrees. The appearance was peculiarly interesting, the planet shone through the crimson cloud, with its splendor apparently augmented rather than diminished.

A few shooting stars were seen at intervals, some of which were above the ordinary magnitude and brightness. One that came from between the feet of the Great Bear, at 8 minutes after one o'clock, and all apparently near to the earth, exhibited very white and dazzling light; and as it exploded, scattered shining fragments, very much after the manner of a sky rocket.

As early as 7 o'clock, the magnetic needle began to show unusual agitation, and it has since been carefully observed by Mr. Loomis. Near 11 o'clock, when the streamers were rising, and the corona forming, the disturbance of the needle was very remarkable, causing a motion of 1 deg. 5 sec. in a few minutes time. This disturbance continued until 10 o'clock this morning, the needle having traversed an entire range of 40 degrees and 40 minutes, while its ordinary diurnal deflection is not more than 4 minutes.

The thermometer at 11 o'clock, was 33 degrees; it shortly fell to 31, and remained at this point during the rest of the night—a degree of cold considerably below that of the few preceding nights. The ground this morning was covered with a common white frost, indicating an unusual deviation of watery vapor.

At about 3 o'clock, the sky grew cloudy, and the moon rising shortly afterwards, other observations were prevented; but continued disturbances of the magnetic needle would induce the belief that the sun continued through the night and even a late hour this morning.

Yale College, Nov. 18.

## FINANCIAL CONCERNS OF NORTH CAROLINA.

### Report of the Public Treasurer.

TREASURY DEPARTMENT, NOV. 16, 1835.

To the Honorable the General Assembly of the State of North Carolina: In obedience to the directions of an act of the General Assembly, passed at the Session of 1827, entitled "An act concerning the Public Treasury," the Public Treasurer respectfully submits the following REPORT:

#### I. Of the Public and Unappropriated Revenue and Expenditures.

The balance of cash in the Public Treasury on the 1st day of November, 1833, was \$37,877 24 The receipts of the ensuing fiscal year, ending the 31st day of October, 1834, amounted to 202,127 28

Making an aggregate of The disbursements during the same period amount to 260,004 59 191,571 11

Balance 1st November, 1834, as reported to the last General Assembly, 68,433 41 The receipts at the Treasury Department for the last fiscal year, that is, from the 31st October, 1834, to the 1st November, 1835, amount to \$150,109, and consist of the following items, viz:

Cash received from Sheriffs for public tax of 1834, being the ordinary revenue payable into the Treasury, on the 1st of October, 1833, and not specifically appropriated, \$71,740 93

Cash received from Sheriffs on account of additional returns of taxes, 428 19

Ditto Bank of Newbern, for dividend of 10 per cent. on 1818 shares of the capital stock, declared in August, 1834, 18,180 00

Ditto Bank of Cape Fear, for dividend of 3 1/4 per cent. profit on 10 shares of stock unappropriated, declared in January, 1835, 35 00

Ditto Buncombe Turnpike Company, for dividend of 13 per cent. profit on 50 shares of stock, declared in January and October, 1834, 650 00

Ditto State Bank of North Carolina, for dividend of profit of 2 per cent. on 2768 shares, declared in November, 1834, 5,536 00

Ditto State Bank of North Carolina, for dividend of 8 per cent. on 2768 shares of the capital stock, declared in March, 1835, 22,144 00

Ditto Bank of Newbern, for dividend of 15 per cent. on 1818 shares of the capital stock, declared April, 1835, 27,270 00

Ditto Bank of Cape Fear, for dividend of five per cent. profit on 10 shares of stock unappropriated, declared in May, 1835, 50 00

Ditto ditto for dividend of 1 per cent. profit on 10 shares of stock unappropriated, declared July, 1835, 10 00

Ditto Bank of the State of North Carolina, for interest on advance payments, made on 300 shares of stock owned by the State, 621 38

Ditto Bank of the State of North Carolina, for dividend of 2 1/2 per cent. profit on 300 shares of stock owned by the State, declared June, 1835, 750 00

Ditto Bank of the State of North Carolina, for tax of 25 cents on each share of stock owned by individuals in said Bank, 2,250 00

Ditto from R. D. Spaight, being the amount of two days pay as a member of the Legislature, overdrawn through mistake in the certificate at last session, 6 00

Ditto from Miss E. E. Haywood, for rent of public lots for the year 1834, 10 00

Ditto from H. H. Cooke, for his note given for part of the Bushy Branch tract of land, Principal \$201, interest \$12 06, 213 06

Ditto from Rufus Haywood, for his bond given for purchase of part of the lands of the late Treasurer Haywood, Principal \$148 33, interest \$66 67, 215 00

Which, added to the balance above stated, will make the sum of 218,543 97

The disbursements at the Treasury from the Public Fund for the same period, that is, from the 31st October, 1834, to the 1st November, 1835, amount to the sum of 171,686 67

Which deducted, shows the balance of cash remaining in the hands of the Public Treasurer, and for which he is accountable on the 1st day of November, 1835, to be \$46,856 30

The disbursements for the year, as stated above, and deducted, consist of the following general items, viz:

General Assembly, \$40,981 74

Rebuilding Capitol, 70,000 00

Judiciary, 26,201 42

Executive Department, 2,600 00

Treasury Department, 2,000 00

Department of State, 1,166 50

Comptroller's Department, 842 37

Library Fund, 515 25

Contingencies, 7,498 50

Sheriffs for settling Tax, 995 50

Do for comparing Congressional Polls, 497 01

Do for making Convention returns, 966 33

Convention, 10,117 93

Public Printer, 900 00

Pensioners, 1,040 00

Adjutant General's Office, 200 00

Treasury Notes burnt by Committee of Finance, session of 1834, 5,138 22

Bogus Banks, 10 50

Governor's House, 15 50

\$171,686 67

The Statements usually furnished by the Comptroller, for the use of the members of the General Assembly, will be found to contain a detailed exhibit of each and every individual disbursement made at the Treasury Department, during the past year. It is, therefore, respectfully referred to for the particulars in each of the foregoing accounts.

#### II. Of the Literary Fund.

The balance of cash in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 31st October, 1834, as reported by him to the General Assembly of that year, was \$19,403 99

The receipts at the Treasury Department, of money belonging to this fund for the last year, that is, from the 31st October, 1834, to the 1st November, 1835, amount to 29,670 72

Total, \$49,074 71

The disbursements from the Literary Fund, during the foregoing period, amount to 47,907 63

Which, deducted from the amount above stated, leaves a balance in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 1st day of November, 1835, of \$1,167 08

#### III. Of the Fund for Internal Improvement.

The balance of cash in the hands of the Public Treasurer, as Treasurer of the Fund for Internal Improvement, on 31st Oct. 1834, as reported by him to the General Assembly of that year, was \$6,539 42

The receipts at the Treasury Department, on account of the Fund for Internal Improvement, for the last year, that is, from the 31st Oct. 1834, to the 1st Nov. 1835, amount to 14,736 17

Total, \$21,275 59

The disbursements from the fund for Internal Improvement, during the same period, amount to 26 28

Which amount deducted, leaves in the hands of the Public Treasurer, as Treasurer of the fund for Internal Improvement, on the 1st day of November, 1835, the sum of \$21,249 31

All the disbursements made at the Treasury Department during the year, it is believed, are sustained by proper and appropriate vouchers; which will be found on file in the Comptroller's Office. The accuracy of the whole, will be tested by the examination of the Committee of Finance.

#### Recapitulation.

The foregoing statements show balances of cash on hand, at the close of the business of the fiscal year ending on the 31st of October, 1835, as follows:

Amount as Public Treasurer, \$46,856 30

Do. as Treasurer of Internal Improvement Fund, 21,249 31

Do. as Treasurer of Literary Fund, 1,167 08

Making an aggregate amount of \$69,272 69

With which the Public Treasurer, as Treasurer of the Literary and Internal Improvement Funds, stands charged on the books of this Department; and for which he is therefore accountable on the 1st day of November, 1835.

The foregoing amount is disposed of (as directed by law) in the following manner, viz: Amount deposited in the Bank of the State of North Carolina, at Raleigh, remaining to the credit of the Public Treasurer, on the 31st day of October, 1835, \$59,639 31

Ditto do. in the Bank of Cape Fear, at Fayetteville, on the same day, 6,401 41

Worn Treasury Notes redeemed and in the vault of the Treasury, 3,100 23

Silver change, and cash in the Treasury, 138 74

Making a corresponding amount of \$69,272 69

It will be perceived, on reference to the foregoing Report, and on comparing the amount received on account of the ordinary revenue for the year 1834, with the amount received from the same sources for the year 1833, as reported by the late Public Treasurer, that the former exceeds the latter by the sum of three thousand seven hundred and

sixty-nine dollars and ninety seven cents (\$3,769 97.) This increase in the revenue of the last year, derivable from taxation, has been owing principally to the fact, that under the fifth section of the revenue law of 1827, the principal towns of the State, for erecting and keeping up, under various names public Gaming tables, for playing games of chance—each of which is subject to the tax imposed by said section, of five hundred dollars. It seems not to have been discovered, until within the last year, that any other than a Billiard-table was the subject of license, by law—as none other has ever heretofore been licensed under the act referred to. It becomes, therefore, a matter of grave inquiry, as it is a subject of great importance to the community, how far it is proper, (if proper at all) to license, or even tolerate, a species of vice evidently tending, in the most alluring forms, to corrupt the public morals, and to lower the standard of public virtue, merely for the purpose of aiding the common sources in replenishing the Treasury, from time to time, with the required amount of revenue.

The attention of the Legislature has been repeatedly called, by my predecessor, to the fact, that the ordinary revenue of the State has been gradually diminishing for a number of years. This fact is no less true now than heretofore, and, unless some speedy remedy be devised, of correcting the abuses and fraudulent practices which have grown up under the present system, a resort to an increase of taxation must be the inevitable consequence. The importance of the subject, imposes upon me the duty of respectfully asking the special attention of the Legislature to it, at the present session. A table appended to the report from this department at the last session, and prepared with great care, exhibiting "comparative statements of the listing and assessments of property, for taxation in 1815, and 1833, with the nett tax accruing thereon," shows that the aggregate value of the lands listed for taxation in the year 1815 was fifty three millions five hundred and twenty-one thousand five hundred and thirteen dollars, (\$53,521,513)—while the aggregate value in 1833, was only forty two millions nine hundred and sixteen thousand six hundred and thirty-three dollars, (\$42,916,633)—showing a decrease in valuation, in the space of eighteen years, of eleven millions six hundred and four thousand eight hundred and eighty dollars, (\$11,604,880)—when to this fact is added another, that from the year 1815, to the year 1833, one million two hundred and forty-nine thousand seven hundred and fifty eight acres of land have been entered and patented, and the value of which has been taken into the aggregate value of the lands listed in 1833, the difference in the valuation at the periods referred to, will be greatly increased.

The defects of the present system of listing lands, are too numerous, and are too well known, to require particular specification in this report. A principal one, however, is believed to be the want of uniformity in affixing a proper value to the lands when given in for taxation. The practice differs in almost every county, and frequently in different parts of the same county; the effect is, that, while the honest and conscientious land holder is made to pay a fair proportion of the burthen of supporting the government, his neighbor, who is less scrupulous, and whose conscience is more easily satisfied, pays just that proportion which he voluntarily chooses to pay. Similar defects also exist in the manner of giving in taxable polls; there being no mode pointed out for ascertaining the ages of either white or black polls, much is necessarily left to the honesty and discretion of those whose duty it is to list them for taxation.

Early in the month of January last, the President and Directors of the Literary Fund held a meeting, at which it was resolved, that the Public Treasurer, as Treasurer of that fund, should subscribe forthwith for so many shares of the reserved stock in the Bank of the State, as the funds on hand would pay for; and that he should from time to time, as the means of the Literary Fund might accumulate, make such future subscriptions for stock as the accumulating fund would enable him to do. Under this resolution, as well as under the authority and direction of the 5th section of the act chartering the Bank, I subscribed, on the 5th day of January last, in the name of the President and Directors of the Literary Fund, for two hundred and forty shares; on the 4th day of May, for one hundred and ten shares; on the 5th of July, for seventy-six shares; on the 2nd of October, for forty shares; making in the whole, four hundred and sixty-six shares; which cost the sum of forty-seven thousand eight hundred and eighty-seven dollars and sixty-three cents, as will be seen by reference to the disbursements, made from the Literary Fund, enumerated under the proper head.

The State has now taken and paid for, of the six thousand shares of stock reserved by the charter, nineteen hundred and sixty-six—(sixteen hundred and sixty-six of which belong to the Literary Fund, and three hundred to the State,)—leaving four thousand and thirty-four shares yet to be subscribed: Of this number, the means of the Literary Fund accruing within the ensuing year, will probably pay for two hundred and fifty, or perhaps three hundred. From this view of the subject, it will be seen that there will still be three thousand seven hundred shares, or upwards, unsubscribed for. It is a matter of regret, that the State has not had the means, hitherto, of taking up the whole of the reserved stock; as the want of this additional capital has tended, in a great degree, to cramp the operations of the Bank, and consequently to curtail, in a like proportion, those facilities and accommodations which would otherwise have been extended to the public. Since the adjournment of the last session, an additional branch of the Bank has been established at Fayetteville, which is intended, in some degree, to supply the place of the United States Branch Bank recently discontinued at that place; and should the Legislature make the necessary provisions for paying in full for the remaining shares of Stock reserved to the State, it would enable the Bank to establish other branches and agencies in sections of the State not now supplied with capital; and thereby to give increased facilities to the people in their agricultural and commercial pursuits. The attention of the Legislature is respectfully invited to this subject, at the present session,—as the right of the State to take the shares yet unsubscribed for will expire, by the express limitation of the charter, on the first day of January, 1837.

It will be observed, upon reference to the statement of receipts and expenditures for the last fiscal year, that the loan of forty thousand dollars, contemplated by the last Legislature, and authorized by a resolution of that body, has not been made. At an early period after the adjournment of the last session, (believing that the loan would become necessary,) I opened a correspondence with the Bank of Cape Fear, the Bank of the State, and the Bank of the United States, to ascertain upon what terms the loan could be had, in case the exigencies of the Treasury would require it. The terms proposed by each of these institutions, were nearly the same—varying only in this particular: that the Bank of the State proposed to receive the reimbursement of the money at any time when it might suit the convenience of the State to make it, or in other words, that the Public Treasurer should be at liberty to fix the length of the periods for which the loan should be made. Determining, however, not to exercise the authority given me by the resolution, until driven to it by necessity, I refrained from taking any further steps in the matter, until by the timely declaration of dividends of capital made by the State Bank, and Bank of Newbern, on the shares owned by the State in each, the Treasury was so replenished, as to remove entirely all necessity for further action upon the subject. The sources, however, from which such opportune relief was brought to the Treasury, during the past year, are now nearly exhausted; and it has been determined by the State Bank, that no further dividend of capital shall be declared until the expiration of the charter; at which time it is contemplated to make a dividend of the whole of its means, and bring its affairs to a final close: so that all hope of revenue from that quarter will be cut off, until after the first day of January, 1838. What course the Bank of Newbern intends to pursue, in regard to the final close of its concerns, is not known to this department; no certain calculation, therefore, can be made on receiving aid from that source. It is perfectly evident, then, from every view of the present state of the Treasury, that a loan will be required at a very early period of the ensuing year. The amount necessary to be borrowed, will depend, in a great degree, upon the circumstance whether or not an additional appropriation shall be made, to continue the work upon the new Capitol, and to what amount? When that question is determined, some estimate may be formed as to the probable amount required.

Under a resolution passed at the last session of the General Assembly, directing the Public Treasurer to commence suits on all bonds given for Cherokee lands on which one-fourth of the principal and interest due shall not be paid on or before the 1st day of December, 1835, I proceeded at an early period, after the adjournment of the last session, to notify every individual purchaser of the Cherokee lands, where bonds remained unpaid, of the purport of the resolution referred to, and requested their immediate attention to the subject. I regret to say, that but very few of them have, as yet, availed themselves of its terms. It is alleged, however, by the members who represented the county of Macon, in the last Legislature, that an error has been committed in the enrolment of the resolution; that it should have been "1836," instead of "1835." I mention this circumstance for the purpose of directing your attention to the subject; as in the event of no provision being made on the contrary, before the 1st day of December next, I shall feel it to be my duty to proceed under the resolution as it now exists.

Another clause of the resolution above mentioned, authorizes the Public Treasurer to institute an inquiry into the solvency of the Cherokee bonds now due; and if he should



Another defect in the Charter, which required correction, was this: By the provisions of the Acts incorporating the Bank



the State and the Bank of Cape Fear, on Institutions made authorized to issue notes of the denomination of \$5 and upwards. The Merchant's Bank is to issue notes of \$5 and upwards. A resolution, being then, would convince every one of the propriety of making the notes uniform, if they were not made, the Bank of the State would be continually drained of specie to make change, a large quantity of which is needed in commercial communities. So long as the Bank of the State pursued its policy of issuing no notes under \$5, the Merchant's Bank would not require any attention to protect it.

Mr. N. said, as the Amendments to the Constitution were most probably ratified, it was peradventure the last time that the Bank of Newbern would be represented on at floor. He hoped therefore before a constituents were disfranchised—before it fell on Athens—that this act of sheer justice would be done them. Mr. M. then submitted a bill to amend the Charter in particulars specified, which was read the first time.

Mr. Clarke moved that a message be sent to the Senate, proposing to ballot immediately for a Judge, to fill the vacancy the Superior Court Bench occasioned by the death of Judge Seawell; and while he said he would nominate for the appointment, John L. Bailey, Esq. of Pasquotank.

Mr. Guinn, of Macon, moved to amend the motion by substituting "Thursday next" for "immediately."

The question on the proposition to amend was decided in the affirmative, and a message was accordingly sent to the Senate to ballot on Thursday for a Judge, *sic* Judge Seawell, dec'd., which was concurred in by a body.

Wednesday, Nov. 23.

#### SENATE.

Mr. Brittain presented the petition of F. Poindexter, of Macon, praying that the State take a part of the stock of Smoky Mountain Turnpike Road.

Mr. Wyche, from the Committee of Finance, reported a resolution requiring the Public Treasurer to procure specie change for the redemption of Treasury notes; which was read three times, and ordered to be enrolled. It subsequently passed the House, and was ordered to be enrolled.

The Speaker presented to the Senate the nomination of R. D. Spaight, as Senator on Craven county, which was read and accepted; and a writ of election ordered to the Sheriff of said county, commanding him to hold an election on the 5th day of December to supply the vacancy.

**Bills presented.**—By Mr. Hogan, a bill to amend an act of 1822, for the division of town county. By Mr. Joyner, a bill to amend the act to incorporate the Roanoke and Raleigh Rail-Road Company. By Mr. Laugh, a bill concerning the County Courts this State. These bills were severally read the first time, the first laid upon the table, and the two last named referred.

On motion of Mr. Cooper, of Martin, Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of amending the Road Laws, so as to compel all owners of public roads to report to their respective County Courts that may happen for the 1st day of January in each and every year, the length of the roads over which they are owners, and their localities, and the number of roads subject to work on said roads; and that it shall be the duty of the Courts to apportion the work on each road, and to compel the Clerks of the respective County Courts to make such entry, and to transmit his order to each overseer, within 10 days after such order is made; and that they report by bill or otherwise.

The bill providing a reward for taking runaway slaves to non-slaveholding states, was taken up, and, on motion of Mr. Wilson, amended, and ordered to be printed.

#### HOUSE OF COMMONS.

Mr. Guthrie, from the Committee on Agriculture, to whom was referred a Resolution directing an enquiry into the expediency of amending the law regulating the inspection of Flour in Fayetteville, made a detailed report, accompanied by a bill which had its first reading. The object of the bill, as we gathered from the Report, is to grant to Farmers who carry Flour to the Fayetteville market, the privilege of selling the same without being compelled to submit it for inspection.

Mr. Guinn, of Macon, from the Committee on Cherokee Lands, to whom was referred so much of the Public Treasurer's Report as relates to a mistake in the enrollment of a Resolution at the last session, in which that Officer is directed to commence suit on the bonds due for the purchase of Cherokee lands, made a detailed report, accompanied by a Resolution directing the Public Treasurer not to commence suit thereon until December 1833. Read first time.

Mr. Walker presented a bill authorizing the Governor of the State to convey to the Trustees of the County Court of Haywood, certain lands therein described. Mr. Siler, a bill to prevent obstructions to the passage of Fish in the Sugar town fork of Tennessee River. These bills were read the first time.

A message was received from the Governor, transmitting a voluminous Report from the Commissioners appointed to revise and digest the Statute Law of the State. The Communication having been read,

Mr. Graham remarked, that the subject of the Report just received was one of great importance. There appeared to be some difficulty as to the proper course for the Legislature to pursue in reference to it. One view presented in the Governor's communication, was to have a number of the

revised Statutes printed in a cheap form for circulation and examination; in the interim of the Legislature, but to postpone final action on them until the next session. Another view which had occurred to him, was for the Assembly to take up and pass on as many of the chapters as convenient, at this time. He moved therefore, that a message be sent to the Senate, proposing to print the Governor's Communication and the letter of the Commissioners, and to refer to a joint select Committee of both Houses the entire Report. Agreed to.

The bill to amend the Act incorporating the Merchant's Bank of Newbern, was read the second time. Mr. Taylor, of Nash, moved to strike out so much of the bill as gives the power of issuing Notes under the denomination of \$5. Mr. Manly opposed the motion, and repeated the arguments advanced by him yesterday on introducing the bill. The vote on striking out was decided in the negative, 88 to 34. The bill then passed its second reading.

Thursday Nov. 23.

#### SENATE.

Mr. Marsteller, from the Committee on Military Affairs, to whom was referred the petition from citizens of Wilkes, praying the liberty to form a volunteer rifle company, reported unfavorably to the prayer of the petitioners. Ordered, on motion of Mr. Wellborn, to be recommitted to the same committee.

**Bills presented.**—By Mr. Wyche, to provide a temporary appointment of Registers in certain cases; and a bill fixing the punishment for the crime of bigamy. By Mr. Little, a bill to give exclusive jurisdiction, to the Superior Courts, in all cases where the intervention of a Jury may be necessary. By Mr. Wilson, a bill amendatory of the act, passed in 1822, entitled "an act for the relief of debtors for debts which may be contracted after the first day of May next." These bills were read the first time and passed, and the three first named referred.

Mr. Hogan, from the Committee on the Judiciary, reported the bill authorizing the Governor to issue his warrant to some one of the Judges of the Supreme Court, commanding him to fill any vacancy that may occur among the Judges of the Superior Courts, without amendment, recommending its rejection. Mr. H. also made a similar report on the bill to prevent Justices of the Peace from issuing *ex. n. sc.* until a return has been made that the defendant has no property, &c. Concurred in, and both bills rejected.

The Senate then entered upon the orders of the day, and took up the bill defining the duty of County Courts in appointing Patrols.

A motion was made by Mr. Stacy to postpone the bill indefinitely; which was negatived. The bill was then, on the several motions of Messrs. Cooper, Wellborn, and Wilson, amended, read the second time, and passed. The Senate then adjourned.

#### HOUSE OF COMMONS.

Mr. Graham, from the Committee on Education, to whom was referred the Executive Communication in relation to the Stock reserved for the State in the Bank of the State, reported a bill to allow the Trustees of the University and the President and Directors of the Literary Fund to subscribe for such number of Shares as may be convenient for them to take—not exceeding 1,500 Shares for the former, and 500 for the latter. The bill was read the first time and ordered to be printed.

Mr. Hawkins, from the Military Committee, reported a bill to amend an Act passed in 1825, directing how the Regiments of Militia in this State shall hereafter be reviewed. [This bill makes it the duty of Reviewing Officers to review at the usual Parade grounds, and repeals so much of the Act as gives power to Captains to muster their Companies only twice in a year.] Read first time.

The bill for the more effectual suppression of Gaming was taken up for its second reading. Mr. Pippin moved to amend it, so as to make the fine on keepers of Gaming tables \$500, instead of \$200, as prescribed in the bill. The motion being stated,

Mr. Manly said, as a member of the Judiciary Committee, it was proper for him perhaps, to state the reasons which governed the Committee in inserting the sum of \$200. It is stipulated in the bill that the fine shall not be less than \$200, leaving it discretionary with the Judge to increase it, in proportion to the magnitude of the offence. Cases might occur, it was supposed, of so mitigated a character, as not to require a heavier fine than \$200, or a longer term of imprisonment than one calendar month; and again, others might occur, of such aggravated character, as to deserve more signal notice. By leaving the penalty unlimited, the Judge will have the power to go, in the way of fine, as high as figures can carry him, and to the term of imprisonment, to the full extent permitted by the Common Law.

The motion to amend was rejected without a count, and the bill passed its second reading.

The bill reported by the Committee on Agriculture, to amend the Law regulating the inspection of Flour in Fayetteville, having been taken up for its second reading, Mr. Hybart moved that it be laid on the table.

Mr. H. said, that he represented a community, a portion of which were deeply interested in the character of the Flour exported from the State. The Legislature

had seen fit, to pass laws regulating that all Flour intended for exportation should be inspected before carried away. These laws had been again and again repealed, and as often re-enacted, because the public interest clearly demanded it. He had had no opportunity for consultation with his constituents, and it might turn out, that they were not opposed to the proposed innovation; if so, he certainly should throw no obstacles in the way of the bill. But he was not disposed to have their interest commuted on that floor, without having an opportunity of ascertaining their views. Leaving out of the question, however, the fact that the town of Fayetteville was interested in this matter, and acting as a legislator for the State, he was satisfied that the provisions of the bill were unwise, and conflicted with sound policy.

Mr. Guthrie said, he was aware that it was not in order to enter into the merits of the bill, upon a motion to lay on the table. If the gentleman from Fayetteville would pledge himself to call up the bill, after having heard from his constituents, he, as the organ of the Committee which reported the bill, would consent to his motion. If he would not thus pledge himself, he hoped he would withdraw his motion and afford him an opportunity of showing that sound policy did require the passage of the bill.

Mr. Hybart said, he would pledge himself to that effect.

The motion to lay on the table prevailed. On motion of Mr. Hybart, Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of amending the Revenue law, so far as regards the Store Tax.

Mr. Guinn, from the joint select Committee on Cherokee lands, to whom was referred the bill authorizing the entry of unsurveyed lands acquired by treaty from the Cherokee Indians in 1817 and 1819, reported the same without amendment; and the bill having been read the second time,

Mr. Guinn explained its object. The lands remaining unsurveyed were refused lands, which had never been brought into market, because it was certain they would not bring the minimum valuation of 25 cents per acre affixed on them by the Legislature. The Commissioners appointed by the State, had surveyed and entered all the land which would pay the expense, and had still left thousands of acres in the more mountainous regions unsurveyed. This bill was to enable such citizens, of that section, as choose to do so, to enter these lands which the State had refused to enter. The people of that country, Mr. G. said, were hardy, industrious, and enterprising, and if the fostering hand of the Legislature were extended to them, would make that portion of the State flourishing and prosperous. Not to pass the bill, Mr. G. said, would be to treat the citizens of Haywood and Macon, with great injustice and neglect. The bill passed its second reading.

## Charlotte:

Friday, December 11, 1833.

### THE PEOPLE against THE CAUCUS.

FOR PRESIDENT:

Hugh L. White, of TENNESSEE.

### THE AMENDMENTS TO THE STATE CONSTITUTION

#### Have been Ratified!!

And from the bottom of our heart do we congratulate the Freemen of North Carolina upon the happy result! Yes—the "vexed question," which has so long disturbed the harmony of our councils, which has caused tickings and heart-burnings among one portion of our people, against another portion, has at last been settled, and settled, too, according to the wishes of the lovers of equal rights! And thus the harassing and degrading shackles which have so long bound North Carolina to sinners and inaction have been struck off, and the State is now enabled to arouse in its majesty, and take its place in that path which has led so many of its more fortunate neighbors to the goal of all that prospers and exalts a people. Al ready can the eye of prescience see "old Rip" arising from his long—long slumber, and preparing to put to shame, by his future efforts, the ungenerous reflections of those who have taunted him with his hitherto almost spell-bound condition. We can but predict for him a long career of success and greatness in the field of noble enterprise and enlarged patriotism which is now opened before him; and, in the fullness of our love for him and his, we cannot but exclaim, "God speed!"

[At the time of writing the above, we expected to get the official returns of votes, for and against the Amendments, in the Raleigh Register by the mail of Thursday; but the Editors of that journal state that the promised Table had been crowded out for want of room—in consequence of which, we also are compelled to disappoint, for this week, those who desire to see it. In place of the Table, however, we are gratified to be enabled to lay before the Western People the following Proclamation of Gov. Swain, officially announcing the Ratification of the Amendments! The majority for Ratification, in the whole State, (the Register says,) is 5,165.]

"**Proclamation by the Governor of the State of North Carolina.**—The Convention which met in the City of Raleigh on the fourth day of June last, having adopted certain amendments to the Constitution of the State, and having, by an Ordinance, directed them to be submitted by the Governor to the people for ratification or rejection; and the said Convention having directed returns of the votes to be made to the Governor, to be by him opened in the presence of the Secretary of State and Public Treasurer, and that in case a majority of the votes given should be in favor of the ratification of the said amendments, the same should be forthwith made known by a Proclamation of the Governor; and the said Amendments having all been so submitted to the people, and returns of the votes having been made and opened, and the result ascertained according to the said Ordinance:

Now, therefore, I, DAVID L. SWAIN, Governor of the State of North Carolina, do hereby declare and make known to the people of the State, that a majority of all the votes so returned was in favor of the ratification of the said Amendments; which said Amendments, so ratified, are become part of

the Constitution of the State, and shall have full effect from and after the first day of January, eighteen hundred and thirty-four.

In testimony whereof, I have caused the Great Seal of the State to be hereunto affixed, and signed the same with my hand.

Done at the City of Raleigh, this third day of December, A. D. one thousand eight hundred and thirty-three, and of the independence of the said State, the sixtieth.

DAVID L. SWAIN.

By the Governor, Wm. T. COLMAN, Private Secretary.

**Treasurer's Report.**—This document will be found in our columns to-day. It is a concise and forcible exposure of the Financial Condition of North Carolina; and will recommend itself to the serious consideration of every citizen of the State. Every one must contemplate, with regret, the very low state of our pecuniary resources, and look with interest to any measure of the Legislature having for its object the replenishing of the State Treasury. It gives us great pleasure to perceive that Gen. Patterson has availed himself of the channel of his Report, to recommend to the Legislature the reconsideration of their former Act for licensing gaming tables within the State. It is to be hoped that this Act will be wiped entirely from our statute-book.

Among the Legislative matter which occupies an extensive space in this day's paper, the reader will find sketches of one or two interesting Debates upon important subjects which have lately occupied the attention of the General Assembly.

It is but an act of justice to say that we derive these "sketches" and indeed all our Legislative matter, from the columns of the Raleigh Register.

**Superior Court Judge.**—We learn, from Raleigh, that, on Monday the 30th ultimo, the eighth balloting for a Judge to supply the vacancy on the Bench of the Superior Court, occasioned by the death of Judge Seawell, came on, and resulted in the choice of John M. Dick, Esq. of Greensboro'. The vote stood thus: Dick, 107; Bailey, 75; Banks, 4. We do not know the successful candidate; but have heard but one opinion expressed of him by those who do—all concur in the belief of his total unsuitability for the office. The following extract of a letter from Raleigh, taken from the last "Western Carolinian," will throw some light upon the *modus operandi* by which Mr. Dick has been elevated to the important and responsible office of Judge. If thus we go, truly may every patriot join with the writer in his aspiration of "God save the State!"

"The Raleigh papers will give you the number of ballotings which the party, who have the numerical strength, thought proper to inflict on the State for the sole purpose of ascertaining whether Mr. Henry of Fayetteville would serve if elected. Saturday's mail brought them his absolute and unconditional refusal. Sunday intervened—a day here appropriated to the most unholy of purposes—the scenes were applied, the party rallied, and, after performing one or two political evolutions, were dismissed, under the orders of a Drill Sergeant, to be punctual in their attendance on the battle field at the roll of the drum—or rather the ringing of the bell. Monday came, and the party, who on Friday, by their votes, pronounced Mr. Dick *in a petto* to be the best of a Prosecuting Officer, were fully convinced by their leaders that he was eminently qualified to *preside on the Bench!* Thus we go—God save the State!"

On Thursday the 26th ultimo, Ed. Stanley, of Washington, was elected Solicitor of the 2d Judicial Circuit. The vote stood as follows: Edward Stanley, 107; Stephen Miller, 79.

On Friday the 27th ultimo, John F. Poindexter, Esq. of Stokes, was elected Solicitor General of the State, on the 2d balloting, as follows: John F. Poindexter, 83; John M. Dick, 83; John Scott, 14.

**President of the University.**—The Raleigh Register, of the 8th instant, brings the following interesting intelligence:

"At the Annual meeting of the Trustees of the University of North Carolina, held in this city on Saturday night last, Governor Swain was elected President of the Institution, in the place of the lamented Dr. Caldwell."

In the Senate, on the 27th ult., Dr. Fox, Senator from this County, presented a bill to repeal so much of an act, passed in 1831, to incorporate the Charlotte Fire Engine Company, as exempts the members of said Company from performing military duty. It passed the Senate.

The prices of produce have not materially altered since our last.

Good News for the Whigs, from Alabama & Mississippi! but no room for it this week.

Our Married and other friends must have patience—we are unable to "journalize" them to-day.

The Hon. Richard D. Spaight, Governor-elect, arrived in this city on Wednesday of last week. A joint Committee of the two Houses waited upon him, to inform him of his election, and ascertain when it would suit his convenience to take the oaths of office, and enter upon the discharge of his duties: Thursday of next week, 10th inst. is assigned for the inauguration.—Standard.

From the Raleigh Register of December 8th.

"**Public Lands.**—North Carolina has again spoken through one branch of her Legislature, in the manly tones of men "who know their rights, and knowing, dare maintain them," in relation to her just claims to an equitable proportion of the public Lands, or their proceeds. She has declared that it is her birth-right, and that it shall never be surrendered. A week was spent in the discussion of the Resolutions, and they were adopted on Saturday, in their original shape, by a triumphant vote, after numerous attempts to modify and soften them down.—The debate has been one of surpassing interest and marked ability, and shall appear, in the order of its occurrence, with all possible despatch. We shall publish the *Ayes* and *Noes*, on the various divisions and subdivisions of the question, that the sovereign people may see how their servants have acted on this question of such vital interest to them. Last year, these Resolutions were laid on the table in the Senate, but we expect better things of that body at the present Session."

WEEKLY ALMANAC.			
Day	Month	Year	MOON'S PHASES
12	December	1833.	
13	Saturday	12 14 40	Full 11 56 even'g.
14	Sunday	12 15 40	Full 12 10 56 even'g.
15	Monday	12 16 40	New 19 4 45 morn'g.
16	Tuesday	12 17 40	First 26 1 22 aft'n.
17	Wednesday	12 18 40	

**Insurance against loss by Fire.**  
THE subscriber is an authorized Agent of the Insurance Company of Columbia, South Carolina, and is now ready to take risks and issue policies against loss or damage by Fire, on Houses, Furniture, Merchandise, and Manufactures.  
JOHN IRWIN.  
71-6w

**NOTICE.**  
SEVERAL likely young Negroes, boys and girls, may be hired by private contract, by applying at Dr. Dunlap's in Charlotte, between the 25th and 31st instant.  
Dec. 9, 1833.

**LOST.**  
TWO Silk pocket handkerchiefs—the finder will be rewarded for his trouble by leaving them at the Printing Office.

**\$20 REWARD.**  
RANAWAY from the subscriber on the 29th ult., a negro boy, named JACK, about 25 years of age, very large and likely, somewhat yellow complexioned. The above reward will be given to any person who will lodge him in Mecklenburg Jail, or any other Jail, so that I get him again.  
JOHN M. HARRIS.  
York District, S. C., December 4, 1833.

### NEW GOODS.

THE Subscriber has lately returned from the North, where he has selected, with care and taste, some **Fine & Fashionable Articles**, which he offers to the public at reduced prices. The leading ones are: Gold and Silver Patent Lever, Lepine, and Plain English and Swiss WATCHES, Gold Guard CHAINS, also, Fob do. Ladies Fine Gold NECKLACE, Gold, Silver, and Steel Spectacle Frames, with glasses, (white, green, blue, and azure,) to suit all ages and sights, GOLD KEYS, for Gentlemen and Ladies.

IN ADDITION TO THE ABOVE, HE HAS JUST RECEIVED THE FOLLOWING ARTICLES FROM THE NORTH, viz:

Britannia-ware in full sets, Fine Plated Cast-iron, Souffers and Trays, Plated Castors, Rogers' Pen and Pocket Knives, Razors and Scissors, best Cloth Brushes, Hair do., Table and Tooth do., a variety of PER-FUMERY of the best quality, Walking Sticks and Riding Switches, Fine Pistols, (English and French,) Snuff Boxes, Percussion Caps, Pocket Books, Emerson's Fine Razor Straps, Boxes and Brushes, &c.

The above articles, added to his former stock of Watches and Jewelry, will embrace a variety, which will be sold low for Cash, or on short credit to punctual dealers.

THOMAS TROTTER.  
Charlotte, November, 1833. 70-4f

N. B. Those who have long Standing Accounts will remember that most men need money to carry on business.

### NORTH-CAROLINA STATE LOTTERY.

For the Benefit of the SALISBURY ACADEMY. TWELFTH CLASS FOR 1835.

To be drawn at **Louisburg,** On SATURDAY, the 19th of December, ON THE POPULAR TERMINATING-FIGURE SYSTEM.

STEVENSON & POINTS, Managers.

**CAPITAL \$6,000 !!!**  
**PRIZE**

**SCHEME:**  
1 Prize of 6,000 Dollars is \$6,000  
1 Prizes of 3,000 Dollars is 3,000  
3 Prizes of 2,000 Dollars is 6,000  
10 Prizes of 1,000 Dollars is 10,000  
10 Prizes of 500 Dollars is 5,000  
10 Prizes of 300 Dollars is 3,000  
10 Prizes of 200 Dollars is 2,000  
80 Prizes of 100 Dollars is 8,000  
100 Prizes of 50 Dollars is 5,000  
116 Prizes of 30 Dollars is 3,480  
201 Prizes of 20 Dollars is 4,020  
300 Prizes of 15 Dollars is 4,500  
6,000 Prizes of 10 Dollars is 60,000  
6,000 Prizes of 6 Dollars is 36,000  
6,000 Prizes of 4 Dollars is 24,000

18,842 Prizes, amounting to \$180,000  
A Package of 10 Whole Tickets will cost \$40  
And must draw nett 17

A certificate for a Package of 10 Whole Tickets will be \$23 00  
For 10 Half Tickets, 11 50  
For 10 Quarter Tickets, 5 75

All orders from a distance, by mail, (post-paid) or by private conveyance, enclosing the cash or prize-tickets in previous Lotteries, will receive the most prompt attention, if addressed to WILLIAM H. SPECK, Charlotte, N. C. and an account of the drawing will be forwarded immediately after its event.

All Prizes payable in cash, forty days after the drawing, subject to a deduction of 15 per cent. Whole Tickets \$4, Halves 2, Quarters 1. To be had in the greatest variety of Numbers at Wm. H. SPECK'S Office, (In the Store lately occupied by S. C. Caldwell.) Charlotte, N. C.



